

of time for filing a Brief on Appeal is respectfully requested. A separate Petition for Extension of Time and the appropriate fees are being filed concurrently.

Please amend the application as follows:

In the Claims

Please amend Claims 13, 31 and 32. Amendments to the claims are indicated in the attached "Marked Up Version of Amendments" (pages i-ii).

13. (Four times amended) An isolated producer cell line stably transfected with a retroviral vector comprising a DNA sequence encoding SDI-1, a functional analogue thereof, or a functional fragment thereof, wherein the SDI-1 or functional fragment or functional analogue thereof inhibits cell proliferation, said producer cell line additionally harboring at least one DNA construct coding for the proteins required for said retroviral vector to be packaged.
31. (Twice amended) A method according to Claim 28 wherein the recombinant retroviral particle is administered as an injection into the living animal body, including a human, nearby or at the site of the tumor.
32. (Twice amended) A method for the treatment of a disorder or disease responsive to the antiproliferative activity of SDI-1 comprising administering a producer cell line according to Claim 13.

Please add new Claims

62. (New) The method of Claim 32 wherein the disorder or disease is a cancer or restenosis.

63. (New) A method for the treatment of a disorder or disease responsive to the antiproliferative activity of SDI-1 comprising implantating an encapsulated packaging cell line comprising encapsulated cells having a core containing packaging cells harbouring:
- a) a retroviral vector carrying a DNA sequence encoding SDI-1, a functional analogue, a fragment thereof or an antisense SDI-1 DNA sequence; and
 - b) at least one DNA construct coding for the proteins required for said retroviral vector to be packaged
- and a porous capsule wall surrounding said core, said porous capsule wall being permeable to retroviral particles produced by the packaging cells, into the living animal body, including a human, nearby or at the site of the tumor.
64. (New) The method of Claim 63 wherein the disorder or disease is a cancer or restenosis.

REMARKS

Claim amendments

Claims 13, 31 and 32 have been amended to more clearly define the claimed invention. New Claims 62-64 have been added. Support for new Claims 62-64 can be found, for example, in original Claims 31 and 32.

Election/Restriction

The Examiner states that "Claims 1-4, 9-11, 33-38, 44 and 49 as newly amended and new claims 54 and 55 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: the claims encompass retroviruses comprising RNA which is equivalent to the non-elected invention of retroviruses comprising antisense" (Office Action, page 2).

Applicants respectfully disagree. A "retrovirus comprising RNA" *is not equivalent* to "retroviruses comprising antisense". The genome of a retroviral particle is comprised of a single-